

COPY

2576

February 3, 1955

SEP 22 1955

CONCORD, N.H.

Alfred S. Cloues, State Treasurer
State House
Concord, New Hampshire

Dear Mr. Cloues:

In reply to your inquiry whether cancelled checks may be destroyed at the end of seven years from date of issue without microfilm or photostatic record, under Laws of 1953, chapter 16, you are respectfully advised that it is my opinion that they may not be destroyed without microfilming or photostatic copy remaining, unless they were issued prior to July 1, 1945.

The chapter referred to is not without ambiguity. It is apparent that thereunder destruction is permitted after two years if microfilm or photostatic record has been made. In all other cases checks, etc. shall be submitted to the Governor and Council for authority to destroy and even the grant of such authority must be conditioned upon maintenance of "a record" as printed in the third line from the end of said chapter, which "record" in the opinion of this office means either microfilm or photostatic copy.

It is noted that the General Court is presently in session and that in the event this interpretation in your opinion requires unnecessary work or unnecessary expense an appropriate amendment may be offered and acted upon at once.

Sincerely,

Louis C. Wyman
Attorney General

W/d